

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

RICK VO,)	Civil No. 07-00052 ACK-BMK
)	Criminal No. 02-00411 ACK 01
)	
Petitioner,)	
)	
vs.)	
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	
)	
_____)	

SCHEDULING ORDER RE. VO'S MOTION FOR RECONSIDERATION OR ISSUANCE
OF CERTIFICATE OF APPEALABILITY FROM DENIAL OF VO'S § 2255 MOTION

On July 23, 2007 Petitioner Rick Vo filed a Motion for Reconsideration or Issuance of Certificate of Appealability from the Denial of Petitioner's § 2255 Motion to Vacate, Set Aside, or Correct his Sentence. In addition, on August 1, 2007, Petitioner Vo filed a Memorandum of Law in Support of Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence. The Court notes that Respondent United States of America was not served with either of these filings.

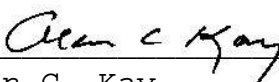
Due to the failure to serve the Respondent, the Court finds it appropriate to invite the Government to file a response to Petitioner's Motion for Reconsideration or Issuance of Certificate of Appealability by September 7, 2007. In the event a response is not filed within such time period, the Court will assume that the Government has no opposition to the relief

requested. If the Petitioner wishes to file a reply to the Government's response, the Petitioner is directed to file his reply within fifteen (15) days of the date of service of the Government's response.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, August 21, 2007.





Alan C. Kay
Sr. United States District Judge

Rick Vo v. United States of America, Civil No. 07-00052 ACK-BMK; Criminal No. 02-00411 ACK 01: Scheduling Order Re. Vo's Motion for Reconsideration or Issuance of Certificate of Appealability from Denial of Vo's § 2255 Motion.